



UNITED STATES BANKRUPTCY COURT SOUTHERN DISTRICT OF FLORIDA

NOTICE OF REQUIREMENT OF CHAPTER 7 AND CHAPTER 13 DEBTORS TO SUBMIT REQUIRED OFFICIAL BANKRUPTCY FORM 23 *"DEBTOR'S CERTIFICATION OF COMPLETION OF INSTRUCTIONAL COURSE CONCERNING FINANCIAL MANAGEMENT"*

Amendments to the Code under sections 727(a)(11) and 1328(g)(1) require withholding of entry of a discharge in chapter 7 and chapter 13 cases until the individual debtor completes an instructional course concerning personal financial management. This requirement is effective for cases filed on or after October 17, 2005. Excepted from this requirement are persons incapacitated, disabled or on active military duty in a military combat zone as provided under new Code section 109(h)(4). A list of US trustee approved course providers is posted on this court's web page of "Bankruptcy Reform Information" under the link "Requirement to Complete Credit Counseling".

Bankruptcy Rule 1007(b)(7) requires an individual debtor to file the Official Bankruptcy Form 23 "Debtor's Certification of Completion of Instructional Course Concerning Financial Management" to notify the court that the debtor has met this requirement or that the debtor falls under an exception to meeting this requirement. Under Bankruptcy Rule 1007(c), the form must be filed within 45 days after the meeting of creditors in a chapter 7 case and no later than the last payment made by the debtor as required by the plan or the filing of a motion for entry of a hardship discharge under 11 USC § 1328(b) in a chapter 13 case.

If the requirement is not timely met, the case will be closed without issuance of a discharge. [See local Administrative Order 05-5]

Official Form 23 can be accessed on this court's website, www.flsb.uscourts.gov via the home page by opening the icon "Local Rules and Forms" and then the link "Official Bankruptcy Forms". Hard copies of this form can also be obtained from the clerk's office.